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C O N F I D E N T I A L SECTION 01 OF 02 YEREVAN 001020

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TAGS: PGOV PHUM KDEM KJUS AM

SUBJECT: AUTHORITIES DROP COUP CHARGES AGAINST FOUR
OPPOSITIONISTS

REF: A. YEREVAN 994

¶B. YEREVAN 974

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Classified By: DCM Joseph Pennington, reasons 1.4 (b,d).

SUMMARY

¶1. (C) On December 17, Armenia's Special Investigative Service (SIS) announced it was dropping its charges against four prominent opposition politicians who supported Levon Ter-Petrossian in February's disputed presidential election. A senior SIS official said he dropped the charges due to a lack of evidence of the four oppositionists' involvement in what investigators say was an attempt to stage a coup d'etat.

The dropping of the charges coincidentally occurred the same day that the Monitoring Committee of the Parliamentary Assembly of the Council of Europe (PACE) was discussing whether to recommend the suspension of Armenia's voting rights at PACE for lack of compliance with resolutions that censured the authorities' handling of the post-election crisis. Republic Party Chairman Aram Sargsian told Emboff that while notifying him of the dropped charges on December 17, the SIS asked him and the three others to date their acknowledgment of decision forms as of December 15 -- a sure sign, he claimed, that the GOAM wanted to use the event to curry favor with PACE. END SUMMARY.

SIS DROPS CHARGES AGAINST PROMINENT OPPOSITIONISTS

¶2. (SBU) The Special Investigative Service, the law enforcement agency tasked with the criminal inquiry into all March 1-related cases, announced on December 17 that it had decided to drop charges against four prominent oppositionists who had supported ex-President Levon Ter-Petrossian (LTP) in his February presidential bid. The four had been charged with attempting to "usurp state power" and provoking "mass disturbances" in the wake of the violent March 1 clashes between opposition protesters and security forces that resulted in ten deaths. Vahagn Harutiunian, a senior official from the SIS, said he decided to drop the charges late last week because of lack of evidence to support the accusation that the four were involved in what investigators call an opposition attempt to stage a coup d'etat.

THE FOUR OPPOSITIONISTS

¶3. (SBU) The four oppositionists who saw their charged dropped include Aram Sargsian (head of the opposition Republic Party); Ararat Zurabian (Head of the Armenian National Movement political party); Karapet Rubinian (former

Deputy Speaker of the National Assembly); and Gurgen Yeghiazarian (the former Deputy Head of Armenia's National Security Service, or ex-KGB, and nephew of LTP confidant and former NSS Head Davit Shahnazarian). Following the March 1 clashes, all but Aram Sargsian had been detained and arrested; however, Zurabian, Rubinian and Yeghiazarian were released from jail over the summer on preventive measures, namely their undertaking not to leave the country while their investigation was underway. Interestingly, Sargsian was never taken into custody although out of the four, he arguably played the largest role in supporting LTP's election bid.

CHARGES DROPPED TO APPEASE PACE

14. (C) Aram Sargsian and Khachik Kokobelian, the Deputy Head of the Armenian National Movement, told Emboff on December 18 they were certain that the authorities decided to drop the charges in order to curry favor with PACE. The same day that the charges were dropped, PACE's monitoring committee was meeting in Paris to discuss whether to recommend the suspension of Armenia's voting rights for its lack of compliance with two PACE resolutions from April and June, which demanded, among other things, the immediate release of supporters of LTP who were arrested on "seemingly artificial or politically motivated charges." Sargsian said that when the SIS issued him notification of the dropped charges on December 17 and asked him to sign an acknowledgment form, they also asked him to date the form December 15. Kokobelian said that all four individuals had been asked to retroactively date the forms, which they did.

15. (C) Sargsian and Kokobelian said that, based on

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confidential information they had received from contacts in law enforcement agencies, they had known at least a month ago that the charges would eventually be dropped. They added that the cases of the four, who were not in detention, were being held in reserve as "an offering" that the authorities would use at an appropriate time, in this case to stave off censure from PACE.

COMMENT

16. (C) The dropping of the charges against the senior oppositionists is a welcome development, even if intended only to appease PACE. This is the third time in as many weeks that the authorities have taken an action to either commute sentences, release on bail, grant pardon, or in this case, drop charges, against LTP supporters. In addition, these four oppositionists are by far the highest-level political figures whose fate the authorities have ruled on to date, with the seven most prominent finally to go on trial December 19. After nine months since the March 1 violence, we might finally be seeing some movement from the authorities on the release of political detainees.

YOVANOVITCH